

DEC 29 2008

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# FACSIMILE COVER SHEET

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From: John C. Pokotylo, Esq.

Date: December 26, 2008

Number of Pages Including Cover: 11

MESSAGE: FORMAL SUBMISSION OF:  
1) Transmittal (1 pg.);  
2) Fee transmittal (1 pg.); and  
3) Request for Reconsideration (8 pgs.).

Attorney Docket No.: Wuesthoff-8 (9A-98 448)  
Appl. No.: 10/542,905  
Applicant: Johann SCHENKL  
Filed: June 13, 2006  
Title: TURBIDITY SENSOR  
TC/A.U.: 2886  
Examiner: Hoa Q. Pham

## CERTIFICATE OF FACSIMILE TRANSMISSION

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Darren Kang

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Signature

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Date

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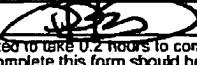
Please type a plus sign (+) inside this box → Modified PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/582,905
	<b>Filing Date</b>	June 13, 2006
	<b>First Named Inventor</b>	Johann SCHENKL
	<b>Group Art Unit</b>	2886
	<b>Examiner Name</b>	Hoa Q. Pham
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> Wuesthoff-8 (9A-98 448)

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks <span style="border: 1px solid black; display: inline-block; width: 150px; height: 20px; vertical-align: middle;"></span>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Darren Kang (Reg. No. 51,859)
Signature	
Date	December 26, 2008

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Typed or printed name	Darren Kang		
Signature		Date	December 26, 2008

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DEC 29 2008

Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

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**FEE TRANSMITTAL  
for FY 2008**

Effective 09/30/2007. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
0.00

## Complete if Known

Application Number	10/582,905
Filing Date	June 13, 2006
First Named Inventor	Johann SCHENKL
Examiner Name	Hoa Q. Pham
Art Unit	2886
Attorney Docket No.	Wuesthoff-8 (9A-98 448)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1049

Straub &amp; Pakotylo

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below ☒ Credit any overpayments☒ Charge any fee(s) due in connection with the filing submitted herewith☒ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH &amp; EXAMINATION FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1090	545	Utility fee	
460	230	Design fee	
720	360	Plant fee	
1520	760	Reissue fee	
220	110	Provisional fee	
SUBTOTAL (1)			(\$) 0.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	52	2202	26	Claims in excess of 20
1201	220	2201	110	Independent claims in excess of 3
1203	390	2203	195	Multiple dependent claim, if not paid
1204	220	2204	110	**Reissue independent claims over original patent
1205	52	2205	26	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	130	2251	65	Extension for reply within first month	
1252	490	2252	245	Extension for reply within second month	
1253	1,110	2253	555	Extension for reply within third month	
1254	1,730	2254	865	Extension for reply within fourth month	
1255	2,350	2255	1,175	Extension for reply within fifth month	
1401	540	2401	270	Notice of Appeal	
1402	540	2402	270	Filing a brief in support of an appeal	
1403	1,080	2403	540	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	540	2452	270	Petition to revive - unavoidable	
1453	1,620	2453	810	Petition to revive - unintentional	
1501	1,510	2501	755	Utility issue fee (or reissue)	
1502	860	2502	430	Design Issue fee	
1503	1,190	2503	595	Plant issue fee	
				Petitions to the Commissioner – check fee sheet	
1807	50	1807	50	Processing fee under 37 CFR 1.17(c)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	810	2810	405	For each additional invention to be examined (37 CFR 1.129(b))	
1801	810	2801*	405	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

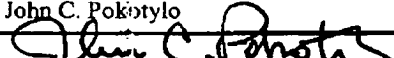
Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)  
0.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	John C. Pakotylo	Registration No. (Attorney/Agent)	36,242	Telephone	(732) 936-1400
Signature		Date	December 26, 2008		

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **Wuesthoff-8 (9A-98 448)**

Appl. No.: **10/582,905**

Applicant: **Johann SCHENKL**

Filed: **June 13, 2006**

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TC/A.U.: **2886**

Examiner: **Hoa Q. Pham**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Sir:

In response to the final Office Action mailed on September 26, 2008 (Paper No. 20080922), which set a period for response to expire on December 26, 2008, please reconsider the above-identified application in view of the following remarks.

**Remarks/Arguments** begin on page 2 of this paper.